

IN THE COMPETITION TRIBUNAL OF SOUTH AFRICA

CT Case No.78/X/AUG12

In the matter between:

CAXTON AND CTP PUBLISHERS AND PRINTERS LIMITED	First Applicant
JOHANNES ALBERTUS KRIEL	Second Applicant
and	
PAARL MEDIA (PROPRIETARY) LIMITED	First Respondent
PRIMEDIA (PROPRIETARY) LIMITED	Second Respondent
THE COMPETITION COMMISSION	Third Respondent

Panel:	Norman Manoim (Presiding Member)
	Andreas Wessels (Tribunal Member)
	Yasmin Carrim (Tribunal Member)
Heard on:	8 August 2012
Order issued on:	08 August 2012

COMPETITION TRIBUNAL ORDER

Pending the final determination of this application by the Competition Tribunal, Paarl Media (Proprietary) Limited undertakes that -

1. The business of Shoppers Friend/Primedia@Home will be run independently of Media 24's other knock and drop businesses, including, On-the-Dot. This entails that the day to day operations of Shoppers Friend shall be subject to separate management, independent decision making and that no competitively sensitive

information will be shared between Shoppers Friend/Primedia@Home and any other leaflet distribution business of Media 24.

2. It will not take any further steps to retrench or otherwise terminate the employment of any employees, including casual workers, of Shopper's Friend / Primedia@Home;
3. It will not dissipate or otherwise dispose of the assets of Shopper's Friend / Primedia@Home;
4. It will not cede, transfer or terminate contracts of customers of Shopper's Friend / Primedia@Home. It shall further not take any steps to influence the transfer by customers of their business from Shoppers Friend/Primedia@Home.
5. It shall continue to service existing customers and maintain the Shoppers Friend/Primedia@Home business as a going concern;
6. It shall, by 12h00 on Monday 13 August 2012, circulate a written announcement to all customers and employees of Shopper's Friend/Primedia@Home that, notwithstanding all earlier announcements, the future of the business of Shopper's Friend/Primedia@Home is the subject of proceedings both in the Competition Commission and Competition Tribunal, and that during this period the business of Shopper's Friend/Primedia@Home shall be preserved as a going concern. This announcement shall be published on every media that it uses to communicate with staff and customers including but not limited to publication on the websites of Shopper's Friend/Primedia@Home and Paarl Media for the duration of the interim order; and

7. The Competition Commission is entitled to appoint an independent third party to monitor compliance with the aforesaid undertakings. This third party shall have access to all relevant employees, records, documents and electronic records of Shopper's Friend/Primedia@Home to determine compliance by Paarl Media (Proprietary) Limited with these undertakings. Any report by the third party to the Commission is confidential.



Presiding Member
N Manoim

08 August 2012

Date

A Wessels and Y Carrim concurring